## **HOUSE BILL No. 1380**

#### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-13.6-2-13; IC 5-16-1-9; IC 5-22-15-26; IC 5-28-5-16; IC 21-34-3-8; IC 36-1-12-22.

Synopsis: Energy efficient buildings. Requires a building or structure constructed, reconstructed, repaired, altered, or retrofitted with certain public works contracts entered into after December 31, 2009, to be designed with the goal of achieving the silver rating under the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system, the Green Globes Two Globes level, or an equivalent standard under an equivalent rating system that is accredited by the American National Standards Institute. Provides that for state agency purchases, there is a 5% price preference for certain office equipment that is compliant with the United States Environmental Protection Agency Energy Star ratings. Allows the Indiana economic development corporation to adopt rules allowing the corporation to give priority to economic development projects that meet or surpass the standards of the leadership in energy and environmental design ratings systems developed by the U.S. Green Building Council or the Green Building Initiative.

Effective: July 1, 2009.

## Niezgodski

January 13, 2009, read first time and referred to Committee on Labor and Employment.



#### First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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### **HOUSE BILL No. 1380**

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1	SECTION 1. IC 4-13.6-2-13 IS ADDED TO THE INDIANA CODE
2	AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3	1, 2009]: Sec. 13. (a) This section applies to a public works contract
4	that satisfies all the following requirements:
5	(1) The contract is entered into under this article after

- (1) The contract is entered into under this article after December 31, 2009.
- (2) The total value of the project subject to the contract is at least one million dollars (\$1,000,000).
- (3) The contract is for the construction, reconstruction, repair, alteration, or retrofitting of a public building or structure.
- (4) The contract is not for the construction, reconstruction, repair, alteration, or retrofitting of a public building or structure that is listed or eligible for listing on the National Register of Historic Places.
- (5) The contract is not for the construction, reconstruction, repair, alteration, or retrofitting of a public building or



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1	structure that is designed solely to store commodities or other	
2	property such as a highway salt barn.	
3	(b) A public works contract described in subsection (a) for the	
4	construction of a public building or structure must require that the	
5	public building or structure constructed under the public works	
6	contract be designed with the goal of achieving:	
7	(1) the silver rating under the United States Green Building	
8	Council's Leadership in Energy and Environmental Design	
9	(LEED) rating system;	
.0	(2) the Green Globes Two Globes level; or	
1	(3) an equivalent rating under an equivalent rating system	
2	that is accredited by the American National Standards	
.3	Institute.	
4	(c) A public works contract described in subsection (a) for the	
.5	reconstruction, repair, alteration, or retrofitting of a public	
6	building or structure must require that the reconstructed,	
7	repaired, altered, or retrofitted building or structure be designed	
8	with the goal of achieving:	
9	(1) the standards for existing buildings under the United	
20	States Green Building Council's Leadership in Energy and	
21	Environmental Design (LEED) rating system;	
22	(2) the Green Globes Two Globes level; or	
23	(3) an equivalent standard under an equivalent rating system	
24	that is accredited by the American National Standards	-
25	Institute.	
26	(d) The division shall seek certification through the rating	
27	system that is appropriate to the contract for a building or	
28	structure that is constructed, reconstructed, repaired, altered, or	V
29	retrofitted under a contract that is subject to this section.	
0	SECTION 2. IC 5-16-1-9 IS ADDED TO THE INDIANA CODE	
1	AS A <b>NEW</b> SECTION TO READ AS FOLLOWS [EFFECTIVE JULY	
32	1, 2009]: Sec. 9. (a) This section applies to a public works contract	
33	that satisfies all the following requirements:	
34	(1) The contract is entered into under this article after	
35	December 31, 2009.	
66	(2) The total value of the project subject to the contract is at	
37	least one million dollars (\$1,000,000).	
8	(3) The contract is for the construction, reconstruction,	
9	repair, alteration, or retrofitting of a public building or	
10	structure.	
1	(4) The contract is not for the construction, reconstruction,	
12	repair, alteration, or retrofitting of a public building or	



1	structure that is listed or eligible for listing on the National
2	Register of Historic Places.
3	(5) The contract is not for the construction, reconstruction,
4	repair, alteration, or retrofitting of a public building or
5	structure that is designed solely to store commodities or other
6	property such as a highway salt barn.
7	(b) A public works contract described in subsection (a) for the
8	construction of a public building or structure must require that the
9	public building or structure constructed under the public works
10	contract be designed with the goal of achieving:
11	(1) the silver rating under the United States Green Building
12	Council's Leadership in Energy and Environmental Design
13	(LEED) rating system;
14	(2) the Green Globes Two Globes level; or
15	(3) an equivalent rating under an equivalent rating system
16	that is accredited by the American National Standards
17	Institute.
18	(c) A public works contract described in subsection (a) for the
19	reconstruction, repair, alteration, or retrofitting of a public
20	building or structure must require that the reconstructed,
21	repaired, altered, or retrofitted building or structure be designed
22	with the goal of achieving:
23	(1) the standards for existing buildings under the United
24	States Green Building Council's Leadership in Energy and
25	Environmental Design (LEED) rating system;
26	(2) the Green Globes Two Globes level; or
27	(3) an equivalent standard under an equivalent rating system
28	that is accredited by the American National Standards
29	Institute.
30	(d) The contracting agency shall seek certification through the
31	rating system that is appropriate to the contract for a building or
32	structure that is constructed, reconstructed, repaired, altered, or
33	retrofitted under a contract that is subject to this section.
34	SECTION 3. IC 5-22-15-26 IS ADDED TO THE INDIANA CODE
35	AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
36	1, 2009]: Sec. 26. (a) This section applies only to a contract
37	awarded by a state agency or a purchase made by a state agency.
38	(b) There is a price preference of five percent (5%) for any
39	electronic office equipment, including computers, monitors,
40	printers, scanners, fax machines, and copiers, that are compliant
41	with the United States Environmental Protection Agency Energy



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1	SECTION 4. IC 5-28-5-16 IS ADDED TO THE INDIANA CODE	
2	AS A <b>NEW</b> SECTION TO READ AS FOLLOWS [EFFECTIVE JULY	
3	1, 2009]: Sec. 16. The corporation may adopt rules granting	
4	priority to economic development projects that include buildings	
5	that meet or surpass the standards of the leadership in energy and	
6	environmental design ratings systems developed by the United	
7	States Green Building Council or the Green Building Initiative.	
8	SECTION 5. IC 21-34-3-8 IS ADDED TO THE INDIANA CODE	
9	ASA NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY	
10	1, 2009]: Sec. 8. (a) This section applies to a contract for a building	4
11	facility that satisfies all the following requirements:	
12	(1) The contract is entered into under this article after	
13	December 31, 2009.	
14	(2) The total value of the project subject to the contract is at	
15	least one million dollars (\$1,000,000).	
16	(3) The contract is for the construction, reconstruction,	4
17	repair, alteration, or retrofitting of a university owned	
18	building or structure.	·
19	(4) The contract is not for the construction, reconstruction,	
20	repair, alteration, or retrofitting of a university owned	
21	building or structure that is listed or eligible for listing on the	
22	National Register of Historic Places.	
23	(5) The contract is not for the construction, reconstruction,	
24	repair, alteration, or retrofitting of a university owned	
25	building or structure that is designed solely to store	
26	commodities or other property such as a highway salt barn.	
27	(b) A contract described in subsection (a) for the construction	
28	of a university owned building or structure must require that the	
29	building or structure constructed under the contract be designed	
30	with the goal of achieving:	
31	(1) the silver rating under the United States Green Building	
32	Council's Leadership in Energy and Environmental Design	
33	(LEED) rating system;	
34	(2) the Green Globes Two Globes level; or	
35	(3) an equivalent rating under an equivalent rating system	
36	that is accredited by the American National Standards	
37	Institute.	
38	(c) A contract described in subsection (a) for the reconstruction,	
39	repair, alteration, or retrofitting of a university owned building or	
40	structure must require that the reconstructed, repaired, altered, or	
41	retrofitted building or structure be designed with the goal of	



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achieving:

1	(1) the standards for existing buildings under the United
2	States Green Building Council's Leadership in Energy and
3	Environmental Design (LEED) rating system;
4	(2) the Green Globes Two Globes level; or
5	(3) an equivalent standard under an equivalent rating system
6	that is accredited by the American National Standards
7	Institute.
8	(d) The university shall seek certification through the rating
9	system that is appropriate to the contract for a building or
0	structure that is constructed, reconstructed, repaired, altered, or
1	retrofitted under a contract that is subject to this section.
2	SECTION 6. IC 36-1-12-22 IS ADDED TO THE INDIANA CODE
.3	AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4	1, 2009]: Sec. 22. (a) This section applies to a public works contract
5	that satisfies all the following requirements:
6	(1) The contract is entered into under this article after
7	December 31, 2009.
. 8	(2) The total value of the project subject to the contract is at
9	least one million dollars (\$1,000,000).
20	(3) The contract is for the construction, reconstruction,
21	repair, alteration, or retrofitting of a public building or
22	structure.
23	(4) The contract is not for the construction, reconstruction,
24	repair, alteration, or retrofitting of a public building or
25	structure that is listed or eligible for listing on the National
26	Register of Historic Places.
27	(5) The contract is not for the construction, reconstruction,
28	repair, alteration, or retrofitting of a public building or
29	structure that is designed solely to store commodities or other
0	property such as a highway salt barn.
1	(b) A public works contract described in subsection (a) for the
32	construction of a public building or structure must require that the
3	public building or structure constructed under the public works
4	contract be designed with the goal of achieving:
35	(1) the silver rating under the United States Green Building
66	Council's Leadership in Energy and Environmental Design
37	(LEED) rating system;
8	(2) the Green Globes Two Globes level; or
9	(3) an equivalent rating under an equivalent rating system
10	that is accredited by the American National Standards
1	Institute.
12	(c) A public works contract described in subsection (a) for the



1	reconstruction, repair, alteration, or retrofitting of a public	
2	building or structure must require that the reconstructed,	
3	repaired, altered, or retrofitted building or structure be designed	
4	with the goal of achieving:	
5	(1) the standards for existing buildings under the United	
6	States Green Building Council's Leadership in Energy and	
7	Environmental Design (LEED) rating system;	
8	(2) the Green Globes Two Globes level; or	
9	(3) an equivalent rating under an equivalent rating system	
10	that is accredited by the American National Standards	
11	Institute.	
12	(d) The political subdivision shall seek certification through the	
13	rating system that is appropriate to the contract for a building or	
14	structure that is constructed, reconstructed, repaired, altered, or	
15	retrofitted under a contract that is subject to this section.	_
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